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# UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin



	In the Matter of the Search of  (Briefly describe the property to be searched or identify the person by name and address)  olack PNY 16GB USB Stick (USB), located at the Racine Police Department – Special estigations Unit, as described in Attachment A	Case No. 22-M-519 (SCD)
	WARRANT BY TELEPHONE OR OTH	ER RELIABLE ELECTRONIC MEANS
То:	Any authorized law enforcement officer	
	An application by a federal law enforcement officer or an following person or property located in the <u>Easte</u> the person or describe the property to be searched and give its location	
	the person or describe the property to be searched and give its location. Attachment A.	<i>)</i> .
	I find that the affidavit(s), or any recorded testimony, estaged above, and that such search will reveal (identify the person Attachment B.	blish probable cause to search and seize the person or property or describe the property to be seized):
<b>⊽</b>	YOU ARE COMMANDED to execute this warrant on of in the daytime 6:00 a.m. to 10:00 p.m. □ at any time in	r before (not to exceed 14 days)  the day or night because good cause has been established.
_	Unless delayed notice is authorized below, you must give from whom, or from whose premises, the property was tak ty was taken.	a copy of the warrant and a receipt for the property taken to the en, or leave the copy and receipt at the place where the
as requ	The officer executing this warrant, or an officer present during the law and promptly return this warrant and inventory	tring the execution of the warrant, must prepare an inventory to Hon. Stephen C. Dries  (United States Magistrate Judge)
§ 2705 proper	Pursuant to 18 U.S.C. § 3103a(b), I find that immediate no (except for delay of trial), and authorize the officer executive, will be searched or seized (check the appropriate box)  I for days (not to exceed 30)  until, the facts justifying	ing this warrant to delay notice to the person who, or whose
	nd time issued: 7-28-22. 3:25 pm	Stylen C. Dri Judge's signature
City ar	nd state: Milwaukee, Wisconsin	Honorable Stephen C. Dries, U.S. Magistrate Judge
		Printed name and title

Return						
Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:				
Inventory made in the presence	of:					
Inventory of the property taken	and name(s) of any person(s) seized:					
Certification						
I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.						
Date:						
		Executing officer's signature				
		Printed name and title				

## ATTACHMENT A

## **Item to Be Searched**

A black PNY 16GB USB Stick, located at the Racine Police Department – Special Investigations Unit.

#### **ATTACHMENT B**

#### Particular Things to be Seized

Pursuant to an investigation of contempt of court, in violation of 18 U.S.C. § 401, which has been committed by Marquan Washington and Plaze Anderson, this warrant authorizes the law enforcement officers to whom it is directed to seize items located in Attachment A including:

- a. Criminal discovery materials, including documents, videos, files, Word Documents, PDF files, photographs, and electronic data;
- b. Evidence of devices used to access the materials on the USB, including computers;
- c. Evidence of creation of the USB; and
- d. Evidence of ownership of the USB.

## UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin



			Eastern District of Wisconsin
In the Matter of the Search (Briefly describe the property to be sorted or identify the person by name and search of the PNY 16GB USB Stick (USB Racine Police Department – Speci Unit, as described in Attack APPLICATION FOR A WARR	searched address) B), located at the al Investigations nment A	}	22-M-519 (SCD) ELIABLE ELECTRONIC MEANS
I a federal law enforcement of	officer or an attorney	, for the government r	equest a search warrant and state under
penalty of perjury that I have reason to property to be searched and give its location)  See Attachment A.	o believe that on the	e following person or p	roperty (identify the person or describe the
located in the Eastern  person or describe the property to be seized):  See Attachment B.	District of	Wisconsin	, there is now concealed (identify the
The basis for the search unde  evidence of a crime;  contraband, fruits of property designed for a person to be arrested	crime, or other items	s illegally possessed; se, or used in committi	ng a crime;
The search is related to a viol	ation of:		
Code Section 18 U.S.C. § 401	Violation of a prote	Offense De ection order.	escription
The application is based on the See Attached Affidavit.	nese facts:		
<b>♂</b> Continued on the attached	d sheet.		
Delayed notice of 18 U.S.C. § 3103a, the ba	days (give exact ending	g date if more than 30 days orth on the attached sh	:) is requested under eet.
		////_/	7-27-22
		,	Appl)cant's signature
		F	Bl Det. Michael Seeger
			Printed name and title
Attested to by the applicant in accordatelephone		ements of Fed. R. Crim	
Date: 7/28/22		Styphen C	. Dri

Honorable Stephen C. Dries, U.S. Magistrate Judge

Printed name and title

Judge's signature

City and state: Milwaukee, Wisconsin

#### AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Michael Seeger, being first duly sworn, hereby depose and state as follows:

#### INTRODUCTION AND AGENT BACKGROUND

- 1. This affidavit is submitted in support of an application for a search warrant to seek evidence regarding a violation of a protection order, in violation of 18 U.S.C. § 401, associated with Marquan Washington and Plaze Anderson. Specially, Affiant is seeking a search warrant to forensically examine the contents of a **black PNY 16GB USB Stick (USB)**, located at the Racine Police Department Special Investigations Unit to include but not limited to all documents, videos, files, Word Documents, PDF files, photographs, and all electronic data located on the USB.
- 2. Affiant has been a law enforcement officer since May 2008. Affiant is a Detective with the Racine Police Department (RAPD) and currently deputized through the Federal Bureau of Investigation (FBI), which expires October 1, 2022. Affiant is currently assigned to the United States Marshals Service (USMS) Fugitive Task Force, Eastern District of Wisconsin. Affiant's prior assignment was a member of the Racine Police Department's Special Investigations Unit (SIU) Drug Enforcement for two and a half years.
- 3. On November 2, 2021, a grand jury in this district returned a superseding indictment charging Marquan Washington and Plaze Anderson with various offenses, including conspiracy to distribute cocaine and "crack" cocaine, in violation of 21 U.S.C. §§ 841(a)(1) and 846.
- 4. Washington and Anderson were arrested and ordered detained by the Honorable William E. Duffin, United States Magistrate Judge. On October 21, 2021, Magistrate Judge William E. Duffin issue a protective order regulating the dissemination of discovery materials. Doc. 21. It provides, in pertinent part:

The government will make arrangements with the institutions where the defendants are held in federal custody so that a set of discovery materials can be maintained at the institutions for inspection by the defendants. The defendants shall be prohibited from copying the materials or otherwise obtaining or maintaining copies of any such materials and shall be prohibited from transporting any of these materials to their cellblock.

Doc. 21 at 3.

- 5. Since Washington and Anderson's arrests, they have been in custody. Most recently, Washington and Anderson are being housed at Kenosha County Detention Center (KCDC), located at 4777 88th Ave., Kenosha, Wisconsin. As of today's date, Washington and Anderson are sharing a cell.
- 6. On July 22, 2022, Affiant was informed that the United States Attorney's Office had received information regarding a **black PNY 16GB USB Stick (USB)** found in Washington's possession. Affiant contacted Michelle Hicks, an office manager at KCDC, regarding the USB. Hicks advised that a **USB** containing what appears to be discovery materials was located in Washington and Anderson's jail cell. Upon inspection, KCDC staff believe that the **USB**, which is black in color, is not the same kind that was provided to the jail by the United States Attorney's Office, which are typically white in color and bear a Department of Justice seal.
- 7. Affiant responded to KCDC and spoke with Hicks and Sgt J. Schroeder. Hicks and Sgt Schroeder advised Washington and Anderson are cellmates in cell DS 20. On Tuesday, July 19, 2022, Correction Officer (CO) Tiffany Horensky conducted a cell search of cell DS 20 assigned to Washington and Anderson. During the cell search, CO Horensky located a USB within a cup on top of a table. During Horensky's investigation, Washington admitted the USB was his. Horensky confiscated the USB, which was later turned over to Sgt Schroeder. Sgt Schroeder advised that he reviewed the contents of the USB and observed documents and videos that he believed was discovery, but in much greater detail than inmates are typically allowed to possess.

- 8. On July 22, 2022, Affiant collected the mentioned **USB** from Hicks at KCDC. It is currently being held at Racine Police Department Special Investigations Unit.
- 9. In Affiant's training and experience, examining data stored on USBs can uncover, among other things, evidence that reveals or suggests who possessed or used the device. In addition, it will reveal further evidence to include but not limited to documents, videos, files, Word Documents, PDF files, photographs, and other electronic data.
- 10. In Affiant's training and experience, a USB can contain sensitive and confidential information regarding a criminal investigation. A USB can contain specific information regarding discovery (evidence) such as controlled buys with confidential informants or other recorded surveillance that could place confidential informants and cooperative witnesses in danger.
- 11. Given the terms of Magistrate Judge Duffin's protective order, your affiant believes that Washington's and Anderson's possession of is likely a violation of 18 U.S.C. § 401 (contempt of court). However, it is unclear whether there are additional individuals involved in this violation.
- 12. The facts in this affidavit come from Affiant's personal knowledge, training and experience, review of documents, and information obtained from other federal, state, and local law enforcement officers and witnesses. This affidavit is intended to show merely that there is probable cause for the requested warrant and does not set forth all of Affiant's knowledge about this matter.
- 13. Based on Affiant's training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Marquan Washington and Plaze Anderson has violated the protection order, in violation of 18 U.S.C. § 401. Further, there is probable cause to search the information described in Attachment A for evidence of these crimes and possible identification of individuals who engaged in the commission of these offenses, as described in Attachment B.

## **ATTACHMENT A**

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